

REMARKS

Claims 1 to 6, 10 and 11 are present for purposes of prosecution.

In the Amendment mailed August 23, 2006, pages 11 and 12, Applicants responded to the rejection mailed March 24, 2006 as follows.

"Although it is believed that for the above reasons, Applicants' compounds as claimed are patentable over Wang et al. in order to expedite prosecution herein, Applicants will submit a Declaration of Timur Gungor and John Dickson, inventors of the subject matter claimed in the subject application, of prior invention to overcome Wang et al. U.S. Patent No. 6,673,821 which issued on January 6, 2004 [which] is based on U.S. Application Serial No. 10/007,341 filed October 22, 2001.

Applicants will also submit a Declaration of Ying Chen who carried out instructions of Timur Gungor in preparing compounds as claimed herein. Submission of the Gungor-Dickson and Chen Declarations may be delayed inasmuch as John Dickson and Ying Chen are no longer employed at Bristol-Myers Squibb Company. Accordingly, it may be 1-2 months or later before Applicants will be able to obtain signed declarations.

Also to be submitted is a Declaration of Hao Zhang wherein she declares that she signed Ying Chen's notebook pages as a witness.

In addition, to be submitted is a Declaration of Ramakrishna Seethala who supervised the testing of compounds prepared by Ying Chen under Timur Gungor's supervision. The actual testing was carried out by Zhengping Ma under Dr. Seethala's supervision, a Declaration of Zhengping Ma will also be submitted. Signed declarations will be forwarded to the Patent Office as soon as all become available.

The declarations to be submitted will establish reduction to practice of the invention claimed in the present application at a date prior to October 22, 2001, that is, the earliest effective date of Wang et al. as a reference, thereby removing Wang et al. as a reference.

In view of the declarations to be submitted, it will be seen that Wang et al. should no longer be considered as a reference against the subject application and that the rejection based thereon should be withdrawn."

Enclosed herewith are the following declarations which establish conception and reduction to practice prior to October 22, 2001, the filing date of Wang et al.:

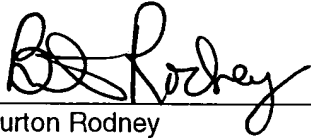
1. Declaration of Prior Invention of TIMUR GUNGOR and JOHN R. DICKSON, JR. to overcome cited U.S. Patent No. 6,673,821.
2. Declaration of YING CHEN.
3. Declaration of HAO ZHENG.
4. Declaration of Prior Invention of RAMAKRISHNA SEETHALA to overcome cited U.S. Patent No. 6,673, 821.
5. Declaration of ZHENGPING MA.

6. Declaration of YONG QUAN.

The enclosed declarations establish conception and reduction to practice of the invention claimed in the present application at a date prior to October 21, 2001, that is, the earliest effective date of the cited Wang et al. patent as a reference against the subject application.

Respectfully submitted,

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